

R E M A R K S

I. Status of the Application

Claims 1-60 are pending. Claims 1, 8-11, 18, 22, 28, 35-38, 45, and 49 are amended. Claims 55-60 are added. Claims 5 and 32 are cancelled without prejudice.

II. Claim Rejections

Claims 1-54 have been rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0149988 ("Ellis"). Claims 1, 8-11, 18, 22, 28, 35-38, 45, and 49 are amended and the rejection is respectfully traversed. Claims 5 and 32 are cancelled without prejudice, as mentioned above.

Independent Claims 1 and 28

Independent claim 1 defines a communications system for providing programming content through a communications network. Claim 1 requires an interface for "receiving, from a terminal, a request for recording selected programming content, the request being received through the communications network." Claim 1 has been amended to require "storage for storing requested programming content, the storage defining a plurality of storage spaces, each respective storage space being associated with a respective one of a plurality of terminals coupled to the network." Claim 1 has been further amended to require a server "responsive to the request for copying the selected programming content during broadcast of the selected programming content through the communications network, a copy of the selected programming content being stored in the respective storage space for the terminal for providing the selected

programming content to the respective terminal through the communications network after broadcast thereof.” Support for the amendments to claim 1 is found at page 7, lines 13-29 and at page 15, lines 8-29, for example.

Independent claim 28 is a method claim that corresponds to claim 1, and has been amended in a similar manner.

Ellis discloses a media content distribution system that allows users to record media content on a remote server. A central facility sends program guide data to a user’s television equipment via a network. (Paragraph [0058]). Programs selected by the user through the interactive program guide are recorded by the program guide server, and are provided to the user on-demand. ([0074]). Recorded programs are stored on one or more storage devices located at the central facility, such as a tape array or disks. ([0079], [0081]). A directory is maintained for each user which includes an identifier of each program that has been recorded for the user and a pointer to the storage device on which the program was recorded. [0082].

Ellis does not teach or suggest a server “responsive to the request for copying the selected programming content during broadcast of the selected programming content through the communications network, a copy of the selected programming content being stored in the respective storage space for the terminal,” as required by amended claim 1. As discussed above, Ellis stores recordings of requested programs on various storage devices in a central storage system. However, the memory location of any particular recorded program bears no relation to the respective terminal that requested the program, and therefore is not “stored in the respective storage space for the terminal,” as claimed.

Nor do the user pointer directories described in Ellis satisfy this limitation. While Ellis maintains a separate pointer directory for each user, there is no teaching or suggestion to store a

“copy” of a program requested by a user in that user’s directory, as claimed. Therefore, amended claim 1, and corresponding method claim 28, as amended, and their respective dependent claims, are not anticipated by Ellis. The dependent claims also include patentable limitations.

Independent Claims 11, 22, 38, and 49

Independent claims 11, 22, 38, and 49 are respectively amended to include limitations requiring a plurality of storage spaces each associated with respective terminals, and storing recorded programming content in selected ones of the storage spaces in response to information received from the respective associated terminals. For reasons similar to those set forth above, Ellis does not teach or suggest these limitations. Therefore, amended claims 11, 22, 38, and 49, and their respective dependent claims, are also not anticipated by Ellis. The dependent claims also include patentable limitations.


III. New Claims 55-60

New claims 55-60 recite features described in the specification and in the original claims. No new matter is added.

IV. Conclusion

In view of the foregoing, each of claims 1-60, as amended, is believed to be in condition for allowance. Accordingly, withdrawal of the rejections and reconsideration of the claims are respectfully requested.

Respectfully submitted,
Kaye Scholer LLP

By 
Brandon N. Sklar
Attorney for Applicants
Reg. No. 31,667
212-836-8653

Date: June 9, 2008

Kaye Scholer LLP
425 Park Avenue
New York, NY 10022